

7-1505

AF/1634  
\$

Patitioner's Docket No. 1392/15

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Christopher A. Hinkel, William J. Kimmerly and LiYang

Application No.: 10/056,908

Group No.: 1634

Filed: January 25, 2002

Examiner: Switzer, Juliet

For: METHODS OF ANALYSIS OF NUCLEIC ACIDS

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed January 14, 2005, finally rejecting claims 13-17, 19-20, 23 and 25-31.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

07/18/2005 BABRAHA1 00000040 500426 10056908

01 FC:1401 500.00 DA

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10\*

☒ as "Express Mail Post Office to Addressee"

Mailing Label No. EV 641 131 523 US (mandatory)

**TRANSMISSION**

☐ facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

Christi A. Butner  
Signature

Date: July 14, 2005

Christi A. Butner

(type or print name of person certifying)

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Other than a small entity \$500.00

Notice of Appeal fee due \$500.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$500.00

**TOTAL FEE DUE \$500.00**

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$500.00 to Deposit Account No. 50-0426.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-0426.

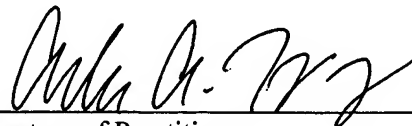
Date:

07/14/2005

Reg. No.: 39,395

Tel. No.: 919-493-8000

Customer No.: 25297



Signature of Practitioner

Arles A. Taylor, Jr.

Jenkins, Wilson & Taylor, P.A.

University Tower, Suite 1400

3100 Tower Boulevard

Durham, NC 27707